Office of Water News Clips – January 10, 2014

West Virginia chemical spill triggers widespread tap water ban

Outlet: Reuters

President Barack Obama issued an emergency declaration for the state of West Virginia on Friday, ordering federal aid in the aftermath of a chemical spill that has left up to 300,000 people without tap water, closed schools and businesses.

The spill of 4-Methylcyclohexane Methanol, a chemical used in the coal industry, occurred Thursday on the Elk River in Charleston, West Virginia's capital and largest city, upriver from the eastern U.S. state's largest water treatment plant.

Governor Earl Ray Tomblin declared a state of emergency for nine counties and health officials have advised residents to use tap water only for flushing toilets and fighting fires.

"West Virginians in the affected service areas are urged not to use tap water for drinking, cooking, washing or bathing," Gov. Tomblin said in a statement. "Right now, our priorities are our hospitals, nursing homes and schools."

Emergency workers were transporting water to distribution centers in the affected counties, according to the Charleston Gazette.

Local media showed pictures of residents lining up at stores for bottled water and shelves emptied of their supplies.

At a Kroger supermarket in Kanawha City, a Charleston police officer stood guard as shoppers stocked up on bottled water.

"People have been grabbing it like crazy," Kerstin Halstead told the newspaper as she loaded two cases of water into her SUV. "Some people were getting - well, they could have shared more."

POTENTIALLY HARMFUL

Dr. Rahul Gupta, health officer for the Kanawha-Charleston and the Putnam County Health Departments, ordered the closure of all restaurants and schools receiving water from the West Virginia American Water company.

Schools would be shut on Friday across many counties, including Boone, Cabell, Clay, Jackson, Kanawha, Lincoln, Pocahontas and Putnam, the West Virginia Department of Education said on its website.

Tomblin's spokeswoman, Amy Shuler Goodwin, said she did not know when the ban would be lifted.

The spill originated with Freedom Industries, a Charleston company, according to Laura Jordan, external affairs manager for West Virginia American Water.

It occurred above the intake of the Kanawha Valley water treatment plant in Charleston, which serves 100,000 homes and businesses, or 250,000 to 300,000 people, Jordan said.

"It could be potentially harmful if swallowed and could potentially cause skin and eye irritation," Jordan said.

The West Virginia Department of Environment Protection got a report of a strange odor on Thursday morning and visited the Freedom Industries site, where they found a leaking storage unit, Shuler Goodwin said.

Jordan said the water company and state environmental officials were conducting tests on the water.

The company is working with state and federal authorities to get residents access to bottled water, and water distribution sites will be announced through local media, Jordan said.

A representative for Freedom Industries did not respond to requests for comment.

The company says on its website it is a producer of specialty chemicals for the mining, steel and cement industries.

Group says Maryland backsliding in bay cleanup

Outlet: Baltimore Sun - Online

Nitrogen pollution from Maryland sewage plants and industries increased in 2012, a new report says, partially undermining gains the state has made in prior years in cleaning up the Chesapeake Bay.

While nitrogen discharges from treatment plants and factories declined overall across the six-state bay watershed from 2011 to 2012, they grew in Maryland, Delaware and New York, according to the , a Washington-based watchdog group.

Analyzing publicly available data from state agencies and the group found that nitrogen discharges from plants in Maryland were more than 400,000 pounds higher in 2012 than the year before. In Virginia, by comparison, nitrogen pollution from sewage plants and factories dropped by more than 1 million pounds the same year.

Tarah Heinzen, a lawyer with the environmental group, said it's not entirely clear why nitrogen pollution increased in Maryland. But she noted that collectively the state's sewage plants and industries violated their permit limits on nitrogen discharges in 2012 by more than 300,000 pounds.

"Maryland was making very good progress between 2010 and 2011,'' Heinzen said, "and that progress seems to have essentially stopped between 2011 and 2012."

Three wastewater treatment plants - in Salisbury, Frederick and on Ballenger Creek in Frederick County - collectively accounted for more than two-thirds of the nitrogen discharge violations in Maryland,

according to the report. Sewage overflows also flushed nearly 34,000 pounds of nitrogen into streams and the bay that year.

While the six bay states and the District of Columbia have made progress overall in reducing discharges of nitrogen, phosphorus and sediments - the pollutants blamed for algae blooms and dead zones in the Chesapeake - none has cut enough yet to meet limits set under the bay "pollution diet" imposed by the EPA more than three years ago.

"Unfortunately, violations of permit limits for nitrogen, phosphorus, and sediment remain common throughout the Bay states, even for significant dischargers," the report says. The group called for regulators to crack down on chronic violators and tighten discharge permits. As significant pollution reductions become more difficult and expensive to achieve, addressing illegal discharges and poor data reporting at these plants will become increasingly critical, Heinzen said in a statement released with the report.

A spokesman for the said agency officials are reviewing the report.

Pennsylvania biogas facility completes successful startup

Outlet: Biomass Magazine - Online

After holding its grand opening on Nov. 22, the Biogas Cogeneration Facility at the Northeast Water Pollution Control Plant in Philadelphia provided Biomass Magazine with an update on its operation and its growing interest from third parties.

The extreme cold from the arctic vortex caused an interruption in the operation of the chiller that works in conjunction with the biogas dehydration equipment, said Leonard Gipson, general manager of facility operations. Given that the facility is in the first two full weeks of continuous operation, the chiller issue is only a minor setback and will be addressed within the next few days, and the engines have operated continuously with less than 3 percent downtime for minor adjustments and auxiliary equipment issues, he adds.

Even with the chiller interruption, contingency plans are working, Gipson said. If the facility was unable to fully utilize the biogas due to a pretreatment problem, such as a down chiller, the biogas is able to be rerouted to the plant's boiler to generate heat for the digestion process and connected buildings. If biogas is not available, the facility can utilize natural gas, he added.

Since the opening, the facility has also stirred interest in several sectors, said Paul Kohl, energy program manager. The project has received attention from the U.S. EPA, USDA and U.S. Department of Energy. One of the main pathways to developing an energy neutral wastewater facility is to produce biogas for electricity and heat generation, Kohl added.

From academia, the Water Environment Research Foundation has expressed interest in the project and

how wastewater treatment plants become resource recovery facilities to become utilities of the future, Kohl said.

Currently, the Philadelphia Water Department's focus will be on organic loading and increasing biogas production, Kohl added. Following the construction of the biogas combined-heat-and-power facility, the department's ability to monetize organic loadings has become more concrete and less abstract, he said.

The Biogas Cogeneration Project held its grand opening Nov. 22 and was designed to generate 5.6 megawatts of onsite power using biogas from the sewage treatment process.

Ameresco Inc., who engineered and constructed the facility, formed a public-private partnership with City of Philadelphia. The partnership allowed the project to qualify for a grant through the American Recovery and Reinvestment Act. Additional funding was secured through the Energy Services unit of Bank of America Merrill Lynch.

TITTEL: Enforce water rules now

Outlet: Asbury Park Press - Online

One of the broadest attacks on clean water in decades is being pushed through the state Legislature during the lame duck session. Bill S3107, which I call the Dirty Water Bill, would delay the implementation of important, updated water-quality planning rules and weaken water protections. With this legislation we will see 20 years of progress on clean water flushed down the toilet.

New Jersey has not updated its water protection rules since the 1980s. The state was under order from the federal Environmental Protection Agency to update those standards, and in 2008 the state Department of Environmental Protection passed new water-quality management rules. The rules are critical because they determine where sewer lines can be installed and they regulate development on septic systems. Under the rules, counties must update their water-quality plans and implement more protective standards. The bill would continue to delay the 2008 rules by another two years, even though these water protections are already five years overdue.

The continued delay of the rules will promote sprawl and overdevelopment in environmentally sensitive and flood-prone areas. The delays allow many bad development projects to go forward, destroying environmentally sensitive lands and adding more water pollution. The delays continue the use of outdated mapping that does not include the latest data on flooding, storm surges and sea level rise, putting people and property in harm's way.

Out of 17 counties that need to submit revised plans to the DEP, the agency has received 16 plans and approved 10. If this bill passes, those plans that the counties have spent hundreds of thousands of dollars preparing would be out of compliance, and the counties would have to start all over again.

The bill would significantly change the criteria for developers to qualify for site-specific amendments,

similar to variances, making it easier to get around the rules for individual projects. The legislation will allow for sewer plan amendments to be done in a piecemeal basis that will get around water-quality planning and the protection of our waterways.(Page 2 of 2)The bill would make it easier to do sewer amendments without proper environmental reviews, opening up even more areas to development, threatening drinking water and our last remaining open spaces.

Previously, amendments were limited and would not be allowed unless a rigorous environmental analysis was completed, including impacts to environmentally sensitive lands, available water supply and capacity for pollution discharges. The Dirty Water Bill would remove that requirement and allow a developer to come in for multiple amendments, even if they do not conform to the county water-quality management plan. Further, the bill eliminates the requirement to submit stormwater management plans. Storm water is the main source of nonpoint source pollution.

This legislation increases the amount of pollution that can be discharged into surface and groundwater as part of an amendment from 20,000 gallons to 50,000 gallons. This will open up rural and environmentally sensitive areas for development, especially in the Pinelands. Under this increased discharge standard, a malfunctioning package plant could wipe out an entire aquifer. There could be hundreds of new package plants under this bill.

Additionally, the bill would no longer require plans to meet DEP technical requirements under the Water Pollution Control Act for groundwater discharges. This means developers could get amendments even if they cannot meet the standards for discharge, allowing them to pollute our waters.

Under the currently proposed legislation, the DEP would no longer be required to do wastewater planning for septic systems. Future DEPs would also be blocked from regulating impacts of development on these systems. Half of the development in New Jersey is reliant on septics, and one-third of the water wells on lots with septic are considered polluted. This is a direct threat to public safety and public health.

The EPA directed New Jersey to update these rules in the 1990s and has provided the state with millions of dollars to do so. The EPA has opposed this bill out of concerns it will lead to violations of the Clean Water Act. The rules are being delayed now by the governor and Legislature to take care of polluters and developers over the clean-water needs of New Jersey. Instead of moving our state forward, politicians are moving backwards, grandfathering in outdated and obsolete plans that do not consider water supply, flooding, endangered species or other environmental criteria.

New Jersey has some of the most polluted water in the country. Only one of our streams meets all standards under the Clean Water Act. However, we have made progress, and this legislation would undo those years of progress. This legislation will mean more sprawl, more loss of open space and increased water pollution. This will impact our economy as well as New Jerseys three largest industries food processing, pharmaceutical and tourism which are dependent on clean water. The Dirty Water Bill is a short-sighted giveaway to special interests at the expense of clean water, and we need the Legislature to vote it down.

Environmental groups appeal water intake suit dismissal

Outlet: News Journal - Online

Three environmental groups urged a Superior Court judge late Thursday to reconsider last weeks sudden dismissal of a lawsuit seeking action on a long-expired wastewater and cooling water permit at the Delaware City Refinery.

The Delaware Riverkeeper Network, Delaware Audubon Society and Sierra Club in October petitioned Judge Diane Clarke Streett to order Delaware to prepare a new draft of the federally required permit in six months, with terms requiring reduced fish kills and pollution discharges at the plants cooling water intake and discharges to the river.

In a move that the environmental groups called a surprise, Streett on Jan. 2 dismissed the case without a request from Department of Natural Resources and Environmental Control or any other parties in the action. The ruling relied heavily on DNRECs assertions that it was exercising proper discretion in delaying action, and that key federal guidance was imminent.

The petition released on Thursday called for arguments on the dismissal, and said that the court should not have acted without the benefit of a motion, answer, reply and briefing, especially at this early stage in the action, because it precluded petitioners from challenging the factually and legally incorrect statements set forth by respondents in the answer.

DNREC did not comment on the filing late Thursday. Agency officials said both in the past and at the time of Streetts dismissal that they were awaiting new, nationwide Environmental Protection Agency rules for cooling water intakes, now expected to be released next week.

State regulators had concluded in a mid-2011 draft permit that a cooling tower system was the best technology available for Delaware City. PBF Energy in 2012 questioned that position, saying that the state failed to consider costs and other options.

Streetts dismissal order said that the environmental groups failed to prove that DNREC arbitrarily refused or failed to perform a non-discretionary duty in preparing and releasing a draft permit for public comment. The refinery had been operating on extensions of a federally required wastewater permit that expired in 2002.

The Riverkeeper organization and other groups also asked a New Jersey court to compel action on a delayed permit for the Salem/Hope Creek Nuclear Plants larger cooling water intakes and discharges last year.

Both petitions are part of what the groups call a Stop the Delaware Fish Kills Campaign, supported by the Eastern Environmental Law Center, Newel Jersey Environmental Federation, New Jersey Sierra Club and Coalition for Peace and Justice.

The latest petition termed DNRECs failure to act capricious and unreasonable, and said that federal regulations make action on updates to the every-five-year permits mandatory. EPA officials also advised states to use best professional judgment when considering permits before release of new guidance.

Grayslake issues boil order

Outlet: Chicago Tribune - Online

Grayslake officials are warning residents that for the next 36 to 48 hours, they should boil any water meant for consumption.

The boil order was issued after officials discovered low water pressure in the Grayslake pipeline.

The move is just a precaution, and no contaminants were found in the water, said Bill Heinz, Grayslake director of public works and village engineer.

He expected the boil order — which covers water that is meant for drinking, brushing teeth and cooking, as well as washing food, hands or dishes — to last for about two days, though it could end sooner.

"We're sampling right now, as we speak, and we will sample again in 24 hours," he said. "If those samples come back as clean, then we can lift the boil order."

Heinz recommended residents use bottled water, if available, or boil tap water for at least five minutes.

The affected water is fine for bathing, showering and household cleaning, he said.

The issue was discovered around 12:30 p.m. today, when residents called complaining about low water pressure in their homes, Heinz said.

When crews went out to inspect the problem, they realized the automated system the village uses to maintain appropriate water pressure was receiving an incorrect reading from one sensor, which kept a pump from regulating the flow, he said.

The sensors — called indicators — are located at places like water towers and pumping stations, Heinz said.

Crews overrode the automated system and manually switched the pump on, and the pressure issue was resolved by 1 p.m., Heinz said.

"It was frozen from that cold snap, we believe," he said.

Heinz said there was no evidence to suggest the water was contaminated, and there were no reports of people getting sick as a result of the malfunction.

If water pressures drop below a certain level, the Environmental Protection Agency requires that a boil order be put in place, he said.

Once the order is lifted, residents should flush water lines, clean faucet screens and get rid of all standing water in appliances such as ice makers or coffee machines, according to a village press release.

The village alerted the public through a news release on its website, also using social media and a community telephone call. Signs also were placed along main roads in town, officials said